

Amdt. dated July 19, 2004
Reply to Office action of 7/18/2004

Serial No. 09/636,655
Docket No. ROC92000077US1
Firm No. 0021.0011

REMARKS/ARGUMENTS

CLAIMS

On the basis of a telephone interview conducted on Thursday, June 24, 2004 at 2:00 PM (EST) with the Examiner and the Examiner's supervisor, Applicants are amending claims 10, 22, 34 and 37-39. On the basis of the communications with the Examiner Applicants believe that the Examiner is likely to consider the amended claims for entry.

The Examiner has rejected claims 1-39. Claims 1-9, 11-21, 23-33, 35, 37-39 have been rejected by the Examiner under 35 U.S.C. 102(b) as being anticipated by McRae (US 4,888,730). Claims 10, 22, and 34 have been rejected by the Examiner under 35 U.S.C. 103(a) as being unpatentable over McRae in view of Walsh (US 5,873,660). In response, Applicants have amended independent claims 10, 22, 34, and 37-39. Applicants submit that claims 1-39 are patentable over the cited art.

Claim Rejections under 35 U.S.C. 102(b)

Amended Independent Claims 1, 13, 25

Claims 1, 13, and 25 are a method, system, and program that are computer implementations for editing text in a computer text editor program, comprising:

- determining terms repeated in a section of text;
- determining terms associated with the repeated terms that may be used as substitute terms for the repeated terms, wherein the substitute terms are capable of being modified via user inputs;
- selecting one instance of one repeated term in the text;
- receiving user selection of one associated term for the selected instance of the repeated term; and

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replacing the selected associated term for the selected instance of the repeated term in response to the user selection.

The Examiner has rejected the above claims under 35 U.S.C. 102(b) as being anticipated by McRae.

Among other requirements, Claims 1, 13, and 25 require that the substitute terms are capable of being modified via user inputs. The Examiner mentions (Office Action: Page 11, Item 49) that this requirement is disclosed by the cited McRae because col. 1, lines 45-48 of the cited McRae recites: "the capability of editing stored text by modifying, relocating, deleting or otherwise changing one or more words of that text".

The cited McRae (col 1, lines 45-48) discusses modifications to "stored text" and not "substitute terms." The claims require the substitute terms to be modified via user inputs. The stored text of McRae is the text in which "substitute terms" can be substituted.

In fact, the cited McRae teaches away from the claim requirements because in McRae (col. 8 lines 32-33) the thesaurus list (i.e., the substitute terms) is stored in ROM. A ROM is read only memory and cannot be modified by user inputs. Therefore, the claim requirement of the substitute terms that are capable of being modified by user inputs are not taught or disclosed by the cited McRae.

Additional arguments for the patentability of claims 1, 13, and 25 are given below:

The cited McRae (col. 2, lines 38-43; col. 2: lines 45-58; lines 49-60; col. 3: lines 13-15; col. 3: lines 3-7) discusses the replacement of repeated terms that are frequently overused in a section of text. The cited McRae discusses that a thesaurus list stored in ROM (Read Only Memory) is used to determine substitute terms that are associated with the frequently overused terms in the section of text. The cited McRae further discusses that the substitute terms in the thesaurus list are used to replace the overused terms in the section of text.

Nowhere does the cited McRae teach or disclose the claim requirements that the substitute terms are capable of being modified by user inputs. The cited McRae discusses that the section of text is stored is editable, i.e., the repeated terms in the section of text can be replaced.

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However, nowhere does the cited McRae teach or disclose the claim requirements that the substitute terms are capable of being modified by user inputs. In fact, the cited McRae teaches away from the claim requirements because in McRae (col. 8 lines 32-33) the thesaurus list is stored in ROM. A ROM is read only memory and cannot be modified by user inputs. Therefore, the claim requirement of the substitute terms that are capable of being modified by user inputs are not taught or disclosed by the cited McRae.

For the above reasons, claims 1, 13, and 25 are patentable over the cited art.

Claims 2-12, 14-24 and 26-36

The Examiner has also rejected pending claims 2-12, 14-24 and 26-39 that depend on the pending independent claims 1, 13, and 25 respectively that the applicants submit as patentable. Accordingly claims 2-12, 14-24 and 26-36 provide additional grounds of patentability over the cited art.

Claims 6, 18, 30

Claim 6 depends on claim 1, and further comprises:
receiving user input of a term to associate with a subject term; and
storing the association of the inputted term and the subject term, wherein the inputted term is one of the determined associated terms when the subject term is a subsequently determined repeated term.

The cited McRae (col. 8, lines 38-45, and 64-66) discusses using a thesaurus program to substitute an overused word. McRay (col. 8: lines 32-33) discusses that the thesaurus list associated with the thesaurus program is stored in ROM stores the subject terms. Since the thesaurus list is stored in read only memory (ROM), the thesaurus list discussed in the cited McRay cannot be modified and new associations with the subject term cannot be stored based on user inputs of a term. Thcrefore, the cited McRae does not teach or disclose the claims

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limitations of receiving user input of a term to associate with a subject term and storing the association of the inputted term and the subject term.

For the above reasons, claims 6, 18, 30 are patentable over the cited art.

Claims 7, 19, 31

Claim 7 depends on claim 6 and further comprises:

receiving user input of a term to remove as an associated term with the subject term, wherein the removed term is not one of the determined associated terms when the subject term is a subsequently determined repeated term.

The cited McRae (col. 15: lines 61-65) discusses using a thesaurus program to substitute an overused word. McRay (col. 8: lines 32-33) discusses that the thesaurus list associated with the thesaurus program is stored in ROM stores the subject terms. Since the thesaurus list is stored in read only memory (ROM), the thesaurus list discussed in the cited McRay cannot be modified and new associations with the subject term cannot be stored based on user inputs of a term. Therefore, the cited McRae does not teach or disclose the claims limitations of receiving user input of a term to remove an associated term with the subject term.

For the above reasons, claims 7, 19, 31 are patentable over the cited art.

Claims 8, 20, 32

Claim 8 depends on claim 1, and further comprises:

maintaining different groups of associated terms, wherein each group comprises different sets of associated terms; and

determining a selected group of associated terms, wherein determining the terms associated with the selected repeated term further comprises determining terms in the selected group associated with the selected repeated term, wherein different groups are capable of providing different associated terms for the selected repeated term.

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The cited McRay (col 2, lines 9-12) discusses a succession of synonyms, i.e., one or more synonyms. In the cited McRay a plurality of synonyms are kept for a word in a thesaurus. Nowhere does the cited McRay teach or disclose the claim requirement that the different groups are capable of providing different associated terms for the selected repeated term. In contrast, in the cited McRay the selection of a repeated patterns leads to a selection of a synonym from the thesaurus.

For the above reasons, claims 8, 20, and 32 are patentable over the cited art.

Claims 9, 21, 33

Claim 9 depends on claim 8, and further comprises:

receiving user input indicating to modify the groups of associated terms, wherein the user input is capable of indicating to add additional associated terms to the groups, remove associated terms from the groups, remove an entire group and add a new group of associated terms; and

performing the user received modification operation on the groups to modify the groups of associated terms.

The Examiner has rejected claim 9 based on the same reasons provided for rejecting claims 7 and 8 and claims 1, 13, and 25. As indicated in response to the rejections of claims 7 and 8, the cited McRae (col. 15: lines 61-65) discusses using a thesaurus program to substitute an overused word. McRay (col. 8: lines 32-33) discusses that the thesaurus list associated with the thesaurus program is stored in ROM and stores the subject terms. Since the thesaurus list is stored in read only memory (ROM), the thesaurus list discussed in the cited McRay cannot be modified and therefore McRay does not teach or disclose the claims limitations of performing the user received modification operation on the groups to modify the groups of associated terms.

For the above reasons, claims 9, 21, and 33 are patentable over the cited art.

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Claims 12, 24, 36

Claim 12 depends on claim 1, wherein the repeated terms are capable of including terms that are different words that include a same word stem.

The term root word in the cited McRay (col. 4, lines 19-20) is different from word stem as discussed in the application in page 5, lines 13-16. Therefore, the cited McRay does not teach or disclose the claims limitations that the repeated terms are capable of including terms that are different words that include a same word stem.

For the above reasons, claims 12, 24, 36 are patentable over the cited art.

Amended Claims 37, 38, 39

Amended claims 37, 38, 39 depend on claims 1, 13, and 25 and further require:
receiving an user input that requests a modification to the substitute terms by adding at least one word in an editing tool;
modifying, via the editing tool, the substitute terms to generate new terms, in response to receiving the user input, wherein the substitute terms that are capable of being modified via the user inputs comprise new terms generated by adding at least one word in an editing tool by the user inputs, wherein the new terms are capable of being associated with subject terms, wherein the new terms are capable of being considered for selecting a substitution for the repeated terms, and wherein the new terms can be additions to predefined association groups; and
using the modified substitute terms to select a replacement for the repeated terms.

The amendment to claims 37-39 have introduced the added requirements of receiving an user input that requests a modification to the substitute terms by adding at least one word in an editing tool, modifying, via the editing tool, the substitute terms to generate new terms, and using the modified substitute terms to select a replacement for the repeated terms.

The added requirements of amended dependent claims 37-39 may be found in the application in at least page 3: lines 7-10; page 3: lines 19-26; page 5: line 21- page 6: line 2; page 7: lines 1-26; pages 4-11; FIGs. 1-6; and original claims 1-36.

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The Examiner has rejected the above claims under 35 U.S.C. 102 as being anticipated by McRae. Nowhere does the cited McRae teach or disclose the claim requirement of receiving an user input that requests a modification to the substitute terms by adding at least one word in an editing tool, modifying, via the editing tool, the substitute terms to generate new terms, and using the modified substitute terms to select a replacement for the repeated terms in combination with the other claims requirements of claims 37-39.

Furthermore, the Examiner has mentioned (Office action; page 8: Item 42) that the claims are rejected "for fully incorporating the deficiencies of the base claims" and that "the applicant is directed to the grounds of rejection as stated above."

Should the Examiner maintain the rejection of claims 37-39 Applicants request that the Examiner cite to specific sections of the cited references that disclose the dependent claim requirements of claims 37, 38, and 39 [See, 37 CFR 1.104(c)(2) ("When a reference is complex or shows or describes inventions other than that claimed by the applicant, the particular part relied on must be designated as nearly as practicable"); MPEP 707, pg. 700-104, May 2004 edition]

For the above reasons, claims 37, 38, 39 are patentable over the cited art.

Claim Rejections under 35 U.S.C. 103(a)

Amended Claims 10, 22, 34

Amended claims 10, 22, 34 depend on claims 8, 20, and 32 respectively, and further requires that a first literary category corresponds to words used by a named author and a second literary category corresponds to words used in a named book.

The added claim requirements that a first literary category corresponds to words used by a named author and a second literary category corresponds to words used in a named book can be found in the application in at least page 7: lines 1-26; page 3: lines 23-26; page 6: line 3 - page 7: line 26; in FIGs. 1-6, pages 1-12, and original claims 1-36.

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The limitations of claim 10 with the limitations included from the base and intervening claims on which claim 10 depends are as follows:

A computer implemented method for editing text in a computer text editor program, comprising:

determining terms repeated in a section of text;

determining terms associated with the repeated terms that may be used as substitute terms for the repeated terms, wherein the substitute terms are capable of being modified via user inputs;

maintaining different groups of associated terms, wherein each group comprises different sets of associated terms, wherein the groups of associated terms comprise different literary categories, wherein a first literary category corresponds to words used by a named author and a second literary category corresponds to words used in a named book.

determining a selected group of associated terms, wherein determining the terms associated with the selected repeated term further comprises determining terms in the selected group associated with the selected repeated term, wherein different groups are capable of providing different associated terms for the selected repeated term;

selecting one instance of one repeated term in the text;

receiving user selection of one associated term for the selected instance of the repeated term; and

replacing the selected associated term for the selected instance of the repeated term in response to the user selection.

Claims 10, 22, and 34 have been rejected by the Examiner under 35 U.S.C. 103(a) as being unpatentable over McRae in view of Walsh (US 5,873,660).

Nowhere does the cited MaRae or the cited Walsh teach or suggest the claim requirement that the a first literary category corresponds to words used by a named author and a second literary category corresponds to words used in a named book.

Additional reasons for the patentability of claims 10, 22, and 32 are provided below.

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The Examiner combines the cited Walsh's (col. 3, lines 15-21, col. 7: lines 5-11) categorized thesauri lists with the cited McRae's overused word substitutions to and mentions that it would have been obvious to one of ordinary skill in the art to arrive at the claim limitations. However, nowhere does the cited Walsh or the cited McRae teach or suggest that the groups of associated terms comprise different literary categories as required by the claims. In fact, nowhere does the cited Walsh or the cited McRae even mention literary categories as required by the claims. The categorized thesauri list of the cited Walsh are not literary categories. The replacement of words in the cited McRae are not literary categories. Therefore, neither the cited Walsh nor the cited McRae teach or suggest all the claim limitations. Therefore, the cited Walsh and the cited McRae does not teach or suggest the claim limitations either alone or in combination.

In response to the applicants above arguments in the previous office action, the Examiner mentions: "The applicant is directed to the rejection of claims 10, 22, 34 as restated above. However, neither of the sections cited by the Examiner mention the different literary categories required by the claims. Applicants again argue that the cited sections of Walsh and McRae do not teach or suggest literary categories. The specification mentions that "Moreover, with preferred embodiments, the user may select a particular literary category, e.g., the Bible, Shakespeare, Mark Twain, etc., of associated terms to use when determining a term to substitute for a repeated term." Nowhere does the cited McRae or the cited Walsh teach or suggest literary categories.

For the above reasons, claims 10, 22, 34 are patentable over the cited art.

Conclusion

For all the above reasons, Applicant submits that the pending claims 1-39 are patentable over the art of record. Applicants have not added any new claims. Nonetheless, should any additional fees be required, please charge Deposit Account No. 50-0585. The attorney/agent invites the Examiner to contact him at (310) 557-2292 if the Examiner believes such contact would advance the prosecution of the case.

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